

REGULAR MEETING OF THE TOWN OF SULLIVAN PLANNING BOARD – APRIL 4, 2017

The regular meeting of the Town of Sullivan Planning Board began at 7:00PM

Present: Frank Park, David Allen, Sherry Menninger, John Ceresoli, Paul Jasek, Phil Costanzo, and John Langey, atty.

A motion was made by Dave Allen and seconded by Sherry Menninger to accept the minutes for March 7, 2017 minutes. All in favor.

GREATER SULLIVN CHAMBER OF COMMERCE – TOURIST SIGN -ROUTE 5 WEST – TOM KOPP- REPRESENTING THE CHAMBER – SL B 48.-1-28.11

Mr. Kopp appeared before the Board requesting a 3' x 5' sign detailing attractions in the Chittenango area. The sign will be aluminum, reflective at night. The Town has no language for signage in the Town.

A motion was made by Sherry Menninger and seconded by Dave Allen to declare this request a Type II action and schedule a public hearing for May 2, 2017 at 6:45PM. All in favor.

This sign will also house a seasonal sign advertising the outdoor market in summer.

JEFF TAYLOR – 2001 NEW BOSTON ROAD – TWO LOT SUBDIVISION – LOT #1 IS 3.65 ACRES AND LOT #2 IS 78 ACRES –SLB 33-1-60.2

Mr. Taylor would like to subdivide a 3.65 acre lot from land he owns on New Boston Road. The remaining acreage would be 78 acres. He has an existing barn on this property that is used for farming.

A motion was made by John Ceresoli and seconded by Sherry Menninger to schedule a two lot subdivision (lot #1 is 3.65 acres and lot #2 is 78 acres. The hearing will be held on May 2, 2017 at 6:15PM. All in favor.

AARON BORT – 687 MOORE ROAD – HOME OCCUPATAION – SLB 8-2-73.2

Mr. Bort would like a special use permit for a home occupation to tear down the present building on his property and build a 20 x 20 building in its place. He needs parking for his trucks. He will have no signs and no employees.

A motion was made by Sherry Menninger and seconded by Paul Jasek to schedule a public hearing for May 2, 2016 at 6:30PM for a home occupation to erect a 20x20' building at 687 Moore Road, Kirkville, NY. All in favor.

CHRIS & BILL PHANEFF – LOT #2 – KINDERHOOK ROAD –

This lot has been subdivided by the Tierney estate. The Phaneffs' would like to move the driveway 19' from where it is now planned. The driveway will be 90' long. Mr. Phaneff does not want to have a curved driveway. He wants to center house on the lot and there will be 40' on either side.

There is good site distance and the area is flat. A motion was made by John Ceresoli and seconded by Sherry Menninger to have Frank Park, chairman, change the map and sign an amendment on the map stating that the Phanneffs are moving their driveway 19' west of the driveway indicated on the map. The driveway will be 38' long. All in favor.

MICHAEL MIMASSI, 1307 BLACK POINT ROAD – SUP – TWO FAMILY HOUSE – MR-12 ZONE

Mr. Mimassi would like to reconfigure a single family house at 1307 Black Point Road to allow a two family house with two bedrooms upstairs and two bedrooms downstairs. He will need 50,000' for a two family house. They need 150' of road frontage. There is additional acreage that belongs to this parcel across the street that could be used for parking.

The Mimassis need to get the property surveyed, locating the building and setbacks and parking for vehicles for a two family house. They will return to the May meeting..

TOM OOT –PHASE 1, SECTION 6 – POOLSBROOK-

Mr. Oot returned to do Phase 6 of his Poolsbrook subdivision. There will be 20 lots in this section. The houses are planned to be ranch style homes. The roads have been paved. Chris Lawton, Barton & Logouidice, will review these plans. The Board needs a letter from Barton & Logouidice regarding their review.

TOWN OF SULLIVAN PLANNING BOARD

RESOLUTION WAIVING HEARING ON THE FINAL PLAT

AND GRANTING FINAL PLAT APPROVAL WITH

RE-ADOPTION AND REAFFIRMATION OF ORIGINAL SEQRA RESOLUTION

POOLSBROOKE SUBDIVISION PHASE 1 - SECTION 6

Part of Lots 2 - Varick's Location

April 4, 2017

S. Menninger moved and P. Jasek seconded the following Resolution:

WHEREAS, Oot Bros., Inc., having duly made an application for final approval of a proposed subdivision in the Town of Sullivan known as "Poolsbrooke Subdivision Phase 1 – Section 6"; and

WHEREAS, the requirements of 6 NYCRR Part 617 have heretofore been previously satisfied by a determination dated March 10, 2003 in which the Board determined that the proposed preliminary cluster plat approval for the Poolsbrooke Planned Community ("Subdivision") will not have a significant effect on the environment; and

WHEREAS, the Planning Board has previously duly called and held a public hearing to consider the Preliminary Cluster Plat Plan for the Subdivision, which hearing was held on March 10, 2003; and

WHEREAS, notice of said hearing was published in the manner required by law and proof of said publishing has been presented to the Planning Board; and

WHEREAS, all persons desiring to be heard in connection with such proposed subdivision have been duly heard and the Planning Board has given full consideration to the statements and views submitted at such hearing; and

WHEREAS, this Board on March 10, 2003 gave Preliminary Plat approval to the proposed Poolsbrooke Subdivision Preliminary Plan; and

WHEREAS, on April 4, 2017, the applicant has presented to this Board an application for Final Plat approval for lots located in said subdivision to be known as Poolsbrooke Subdivision Phase 1 - Section 6; and

WHEREAS, this Board at its regularly scheduled meeting of April 4, 2017, ratified and reaffirmed the Board's prior SEQR findings of March 10, 2003 as the proposed final plan is substantially similar to the Phase 1 - Section 6 shown on the preliminary plan approved by this Board; and it is further

WHEREAS, the Planning Board has considered the suitability of the subdivision as a possible location for a park and/or recreation facility and has taken into consideration the size of the subdivision as well as pertinent practical factors; and

WHEREAS, while a park area cannot be properly located within such subdivision, the developer has depicted a recreation trail for users in the proposed subdivision; and

WHEREAS, this Board has determined that the Final Plat for Section 6, as submitted, is in substantial compliance with the Preliminary Plat and is hereby and herewith approved by this Board, and that pursuant to Section 276 of the Town Law and the Subdivision Regulations of the Town of Sullivan, the requirements for a public hearing on the final application may be waived.

NOW, THEREFORE, BE IT RESOLVED, that for purposes of the State Environmental Quality Review Act, the Planning Board hereby incorporates and reaffirms the Negative Declaration approved by this reviewing Board; and it is further

RESOLVED, that pursuant to Section 276 of the Town Law and the Subdivision Regulations of the Town of Sullivan, the requirement for a public hearing on the Final Plat Plan is hereby waived; and it is further

RESOLVED, that the Planning Board of the Town of Sullivan hereby accepts the final plan and grants Final Plat Plan approval on the subdivision known as “Poolsbrooke Subdivision Phase 1 – Sec. 6 (Part of Lots 2 - Varick’s Location, Town of Sullivan - Madison County, New York)” based on a Final Plan prepared by SeGuin Land Surveying, P.L.L.C., dated June 1, 2016, as last revised September 15, 2016, subject to the following conditions:

1. Payment of all fees associated with the review of said application;
2. Deposit of an appropriate security amount, as prepared by the Town’s Consulting Engineer;
3. Execution of the Subdivision Improvement (Maintenance) Guaranty Agreement and Performance Agreement;
4. Submission of a final comment letter from Barton & Loguidice;
5. Placement of a note on the Final Plan that all houses will have a 25’ separation, including all aspects of the house;
6. Recording of an original Dedication and Release of Damages pursuant to Highway Law §171 relative to the Roads with the Town of Sullivan;
7. Preparation and recording of a Warranty Deed for the Roads, together with the ancillary recording documents (*i.e.* Form TP-548 and Form RP-5217);
8. Preparation and recording of Permanent Easements for all drainage, stormwater and sewer easements referenced on the Map along with the ancillary recording document (*i.e.* Form TP-584);
9. Providing to the Town a current Abstract of Title certified to both the Roads and all drainage, stormwater and sewer easements;
10. Providing to the Town Title Insurance in the amount of \$50,000 insuring title to both the Roads and all drainage, stormwater and sewer easements;
11. The applicant will comply with all other Town of Sullivan Zoning and Subdivision Regulations;
12. All other conditions of the original subdivision approval shall apply; and it is further

RESOLVED, that the Planning Board hereby authorizes the Chairman of the Planning Board to sign the Final Plat upon certification that all requirements and conditions set forth herein have been satisfactorily met; and it is further

RESOLVED, that this approval is subject to any appropriate agreements being entered into by the applicants and the Town of Sullivan as directed by the Town Attorney and it is noted by the Planning Board that the within approval shall not operate as a precedent for any future approvals; and it is further

RESOLVED, that the Zoning Officer is hereby authorized and directed upon payment of any required fees to issue such permits and certificates and to take such other action as may be required to effectuate and enforce this Resolution subject to the above conditions; and it is further

RESOLVED, that except as specifically permitted by the Land Subdivision Regulations of the Town of Sullivan, no site work shall be performed and no building permits or certificates of occupancy shall be issued, nor shall the Chairman of the Planning Board execute the Subdivision map, until all of the foregoing conditions have been satisfied.

The question of the adoption of the foregoing Resolution was duly put to a roll call vote, which resulted as follows:

Paul Jasek	Voted	YES
John Ceresoli	Voted	YES
Sherry Menninger	Voted	YES
Dave Allen	Voted	YES
Frank Park, Chairman	Voted	YES

The Chairman, Mr. Park, then declared the Resolution to be duly adopted.

FRANK PARK, Chairman of the Planning Board of the Town of Sullivan, hereby certifies that the foregoing Resolution was duly adopted at a meeting of the Board duly convened and held on April 4, 2017, a quorum being present.

FRANK PARK, CHAIRMAN

Town of Sullivan Planning Board

CHARLOTTE FERSTLER, Town Clerk of the Town of Sullivan hereby certifies that the foregoing Resolution was duly filed in her office on April ____, 2017.

CHARLOTTE FERSTLER, Town Clerk

TOM OOT – PHASE 4- NORTHRIDGE

Mr. Oot would like to have a 23 lot subdivision. The binder is on the road, everything is complete except National Grid. The walking trail is on this section. Mr. Oot is looking for final approval of Phase 4.

TOWN OF SULLIVAN PLANNING BOARD

RESOLUTION WAIVING HEARING ON THE FINAL PLAT

AND GRANTING FINAL PLAT APPROVAL WITH

RE-ADOPTION AND REAFFIRMATION OF ORIGINAL SEQRA RESOLUTION

NORTH RIDGE SUBDIVISION, SECTION 4

Part of Lots 1 & 2 - Varick's Location

April 4, 2017

J. Ceresoli moved and D. Allen seconded the following Resolution:

WHEREAS, Oot Bros., Inc./North Ridge, LLC, having duly made an application for final approval of a proposed subdivision in the Town of Sullivan known as "North Ridge Subdivision, Section 4"; and

WHEREAS, the requirements of 6 NYCRR Part 617 have heretofore been previously satisfied by a determination dated February 10, 2003 in which the Board determined that the proposed preliminary plat approval for the North Ridge Subdivision will not have a significant effect on the environment; and

WHEREAS, the Planning Board has previously duly called and held a public hearing to consider the Preliminary Plat Plan for the Subdivision, which hearing was held on February 10, 2003; and

WHEREAS, notice of said hearing was published in the manner required by law and proof of said publishing has been presented to the Planning Board; and

WHEREAS, all persons desiring to be heard in connection with such proposed subdivision have been duly heard and the Planning Board has given full consideration to the statements and views submitted at such hearing; and

WHEREAS, this Board on February 10, 2003 gave Preliminary Plat approval to the proposed North Ridge Subdivision Preliminary Plan; and

WHEREAS, on April 4, 2017, the applicant has presented to this Board an application for Final Plat approval for lots located in said subdivision to be known as North Ridge Subdivision, Section 4; and

WHEREAS, this Board at its regularly scheduled meeting of April 4, 2017, ratified and reaffirmed the Board's prior SEQR findings of February 10, 2003 as the proposed final plan is substantially similar to the Section 4 shown on the preliminary plan approved by this Board; and it is further

WHEREAS, the Planning Board has considered the suitability of the subdivision as a possible location for a park and/or recreation facility and has taken into consideration the size of the subdivision as well as pertinent practical factors; and

WHEREAS, while a park area cannot be properly located within such subdivision, the developer has depicted a recreation trail for users in the proposed subdivision; and

WHEREAS, this Board has determined that the Final Plat for Section 4, as submitted, is in substantial compliance with the Preliminary Plat and is hereby and herewith approved by this Board, and that pursuant to Section 276 of the Town Law and the Subdivision Regulations of the Town of Sullivan, the requirements for a public hearing on the final application may be waived.

NOW, THEREFORE, BE IT RESOLVED, that for purposes of the State Environmental Quality Review Act, the Planning Board hereby incorporates and reaffirms the Negative Declaration approved by this reviewing Board; and it is further

RESOLVED, that pursuant to Section 276 of the Town Law and the Subdivision Regulations of the Town of Sullivan, the requirement for a public hearing on the Final Plat Plan is hereby waived; and it is further

RESOLVED, that the Planning Board of the Town of Sullivan hereby accepts the final plan and grants Final Plat Plan approval on the subdivision known as “North Ridge - Section 4 (Part of Lots 1 & 2 - Varick’s Location, Town of Sullivan, Madison County)” based on a Final Plan prepared by SeGuin Land Surveying, P.L.L.C., dated February 12, 2016, as last revised March 22, 2017, subject to the following conditions:

13. Payment of all fees associated with the review of said application;
14. Deposit of an appropriate security amount, as prepared by the Town’s Consulting Engineer;
15. Execution of the Subdivision Improvement (Maintenance) Guaranty Agreement and Performance Agreement;
16. Submission of a final comment letter from Barton & Loguidice;
17. Placement of a note on the Final Plan that all houses will have a 25’ separation, including all aspects of the house;
18. Recording of an original Dedication and Release of Damages pursuant to Highway Law §171 relative to the Roads with the Town of Sullivan;
19. Preparation and recording of a Warranty Deed for the Roads, together with the ancillary recording documents (*i.e.* Form TP-548 and Form RP-5217);
20. Preparation and recording of Permanent Easements for all drainage, stormwater and sewer easements referenced on the Map along with the ancillary recording document (*i.e.* Form TP-584);
21. Providing to the Town a current Abstract of Title certified to both the Roads and all drainage, stormwater and sewer easements;
22. Providing to the Town Title Insurance in the amount of \$50,000 insuring title to both the Roads and all drainage, stormwater and sewer easements;

23. The applicant will comply with all other Town of Sullivan Zoning and Subdivision Regulations;

24. All other conditions of the original subdivision approval shall apply; and it is further

RESOLVED, that the Planning Board hereby authorizes the Chairman of the Planning Board to sign the Final Plat upon certification that all requirements and conditions set forth herein have been satisfactorily met; and it is further

RESOLVED, that this approval is subject to any appropriate agreements being entered into by the applicants and the Town of Sullivan as directed by the Town Attorney and it is noted by the Planning Board that the within approval shall not operate as a precedent for any future approvals; and it is further

RESOLVED, that the Zoning Officer is hereby authorized and directed upon payment of any required fees to issue such permits and certificates and to take such other action as may be required to effectuate and enforce this Resolution subject to the above conditions; and it is further

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The question of the adoption of the foregoing Resolution was duly put to a roll call vote, which resulted as follows:

Paul Jasek	Voted	YES
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Sherry Menninger	Voted	YES
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The Chairman, Mr. Park, then declared the Resolution to be duly adopted.

FRANK PARK, Chairman of the Planning Board of the Town of Sullivan, hereby certifies that the foregoing Resolution was duly adopted at a meeting of the Board duly convened and held on April 4, 2017, a quorum being present.

FRANK PARK, CHAIRMAN

Town of Sullivan Planning Board

CHARLOTTE FERSTLER, Town Clerk of the Town of Sullivan hereby certifies that the foregoing Resolution was duly filed in her office on April ___, 2017.

CHARLOTTE FERSTLER, Town Clerk

JOHN CERESOLI – BRIDGEPORT LIBRARY – ADDITION

The Bridgeport Library would like a 1200 sq.ft. addition to their existing building on North Road in Bridgeport. The Board needs to see plans, including parking and drainage of water. He will return to the May 2nd meeting.

A motion was made by Paul Jasek and seconded by Sherry Menninger to adjourn the meeting at 8:30PM. All in favor.

Respectfully submitted,